

Amend Section 1 of the bill by striking out the word "nine" wherever it appears therein, and insert the word "six" in lieu thereof, except as to the number constituting the Board of Regents of the University of Texas, and the Board of Directors of the Agricultural and Mechanical College of Texas, the College of Industrial Arts, which shall remain "nine" persons, as shown by said section.

Amend Section 1 of the bill by striking out the word "four" referring to the number of women who shall be members of the Board of Regents of the College of Industrial Arts for Women, and insert in lieu thereof the word "three."

Amend the bill by adding the following after Section 2 of said bill: "provided that where the regents or other governing board of the institutions covered by Section 1 of this Act have a tie vote, and are unable to select a Superintendent, or other employee, of said institution, or institutions, or decide any other question coming before said board, a board consisting of the Comptroller of Public Accounts, the State Treasurer and Attorney General shall decide the tie by a majority vote, and such party selected by said board shall constitute the Superintendent, or other employee, of said institution, or institutions, or a decision of any "tie" vote of said boards.

COUSINS, Vice Chairman.

Enrolling Committee Report.

Austin, Texas, February 5, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Enrolled Bills have had Senate Concurrent Resolution No. 13 carefully compared and find the same correctly enrolled.

SMITH, Chairman.

Senate Concurrent Resolution No. 13.

Resolved by the Senate of Texas, the House of Representatives concurring, that all testimony taken in the joint proceeding known as the "Ranger Force Investigation" be printed, daily, in the respective Journals of the two Houses in order that the public may be properly informed.

EIGHTEENTH DAY.

Senate Chamber,
Austin, Texas,

Friday, February 7th, 1919.

The Senate met at 10 o'clock a. m. pursuant to adjournment, and was called by Lieutenant Governor W. A. Johnson.

The roll was called, a quorum being present, the following Senators answering to their names:

Alderdice.	Gibson.
Bailey.	Hall.
Bell.	Hertzberg.
Buchanan of Bell.	Hopkins.
Buchanan of Scurry.	Johnston.
Caldwell.	McNealus.
Carlock.	Page.
Cousins.	Parr.
Dayton.	Smith.
Dean.	Strickland.
Dorough.	Suiter.
Dudley.	Westbrook.
Faust.	Witt.
Floyd.	Woods.

Absent.

Clark. Williford.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Faust.

Petitions and Memorials.

See Appendix.

Standing Committee Reports.

See Appendix.

Bills and Resolutions.

By Senator Bailey:

S. B. No. 212, A bill to be entitled "An Act regulating the traffic in gasoline and other petroleum products in this State; prohibiting the sale of such products except under their true name and providing for inspection thereof; providing that packages, containers or receptacles containing any of said products shall be plainly marked in accordance with regulations of the Interstate Commerce Commission and show the name of the manufacturer and place of manu-

facture; prescribing a standard of petroleum products which may be sold for illuminating purposes; making it unlawful to sell as gasoline any product not conforming to the standards prescribed in the Act; prescribing a standard for gasoline; providing a method of testing gasoline and other Petroleum products; compelling the use of correct and accurate scales and measuring devices and authorizing the inspection and method of enforcing compliance with the law in this respect; prescribing the duties of the Food and Drug Commissioner and his authorized inspectors or other persons appointed by him in the enforcement of the provisions of this Act; making it unlawful to obstruct the Commissioner or those under his direction in exercising the powers conferred; providing penalties for violations and repealing parts of laws in conflict with this Act, and declaring an emergency."

Read first time and referred to Committee on Criminal Jurisprudence.

By Senator Bailey:

S. B. No. 213, A bill to be entitled "An Act amending Article 2448, Chapter 2, title 44, Revised Civil Statutes of the State of Texas of 1911, with reference to county depositories, so as to correspond with Section 3 of an Act of the Thirty-fifth Legislature approved February 12th, 1917, amending Articles 2440, 2441, 2442, 2443, 2444, and 2445, Chapter 2, title 44, of the Revised Civil Statutes of the State of Texas of 1911, providing for county depositories, etc. and declaring an emergency."

Read first time and referred to Committee on Civil Jurisprudence.

By Senator Dorough:

S. B. No. 214, A bill to be entitled "An Act making appropriation to pay Honorable C. C. Hines, of Jefferson, Texas, Ninety (\$90.00) Dollars for services rendered, as Special District Attorney, during 1915, in the District Court of Titus County, Texas, and declaring an emergency."

Read first time and referred to Committee on Finance.

By Senator McNealus:

S. B. No. 215, A bill to be entitled "An Act to establish what is known as a uniform warehouse receipt. Providing for what shall be contained in said receipt. Providing what shall

constitute a negotiable receipt, and also what shall be a non-negotiable receipt. Defining the obligations and rights of a warehouseman upon the receipt issued by them. Defining the character of receipt that shall be issued in all instances where goods are received for storage, and providing for the taking up and cancelling of receipts issued on the whole or part of goods stored with warehousemen. Providing that a warehouse shall be liable in certain instances for the non-existence of goods where receipts are issued, and providing that the warehouseman shall be liable for goods left in his possession which have not been properly cared for. Providing for the rights of debtors and creditors on goods stored with a warehouseman under the terms of this Act. Providing for liens by warehousemen against goods stored with him, or in his possession, for storage and other charges. Providing for the method of enforcing said liens. Defining how a negotiable receipt may be negotiated and defining the rights and holders of negotiable receipt, and defining the rights of a purchase of goods held in storage under a negotiable receipt. Providing criminal offenses for violation of the terms and provisions of this Act on the part of warehousemen, officers, agents, servants, and employees. Providing for the method by which any person, firm, corporation, partnership or association of persons may become public warehousemen under the terms and provisions of the law by filing a bond, and providing that the Commissioner of Markets and Warehouses shall exercise supervision over all public warehousemen. Providing that the Commissioner of Markets and Warehouses may exercise supervision over all private warehouses operating under the provisions of this Act, and providing for the repeal of all laws and parts of laws in conflict with this Act, except the Act of the First Called Session of the Thirty-fifth Legislature, approved May 26, 1917, and known as the Permanent Warehouse Act, and declaring an emergency."

Read first time and referred to Committee on State Affairs.

By Senator Parr:

S. B. No. 216, A bill to be entitled "An Act to repeal an Act entitled 'An Act to promote agriculture and stock raising and prohibit the hunt-

ing with firearms or dogs upon inclosed and posted lands of another in all counties within this State not, specifically named as exempt under the provisions of this Act and to provide a penalty therefor' passed by the Twenty-sixth Legislature at its Regular Session in 1899 and being Chapter CII of said Session Acts, pages 173 and 174 of the General Laws of said Twenty-sixth Legislature and to declare an emergency."

Read first time and referred to Committee on Stock and Stockraising.

By Senator Westbrook:

S. B. No. 217, A bill to be entitled "An Act to repeal Articles 4432, 4433 and 4434, Chapter 5, Title 65 of the Revised Civil Statutes of the State of Texas, 1911, the articles of said chapter and title providing for the appointment by the Governor by and with the advice and consent of the Senate, if in session, an official to be styled the Assistant Attorney General who shall hold his office for the term of two years and until the election and qualification of his successor, whose duties are to assist the Attorney General in representing the interests of the State in all suits, pleas and prosecutions in the Supreme Court, and Courts of Appeals which act shall take effect and be in force from and after August 31, 1919; and further, providing that the Attorney General of the State of Texas and his successors in office shall represent the State of Texas in all suits, pleas, and prosecutions in the Supreme Court, the Court of Criminal Appeals, and the several Courts of Civil Appeals; further providing that the incumbent, Hon. E. A. Berry, shall continue as Assistant Attorney General under the direction and control of the Attorney General until January 1, 1921; and declaring an emergency."

Read first time and referred to Committee on Civil Jurisprudence.

By Senator Hertzberg:

S. B. No. 218, A bill to be entitled "An Act to provide for the inspection by County Health officers of private sanitariums treating mental diseases or receiving patients suffering from unsound mind or treating persons afflicted with a drug habit, and making it the duty of such Health Officer to make bi-monthly visits of inspection to such institutons and to

make report, in writing, the condition thereof to the County Judge, and providing penalties for the violation of this Act, and declaring an emergency."

Read first time and referred to Committee on Public Health.

By Senator Hertzberg:

S. B. 219, A bill to be entitled "An Act to minimize and prevent the theft of motor vehicles and motor vehicle tires, parts and accessories, providing punishments for violations of this Act and for other purposes and declaring an emergency."

Read first time and referred to the Committee on Criminal Jurisprudence.

By Senator Hertzberg:

S. B. No. 220, A bill to be entitled "Kerr County Road System creating. An Act subdividing said county into road districts and empowering any political subdivision or any defined district now or hereafter to be designated and defined of said county, by a vote of two-thirds majority of the resident property tax-payers, qualified voters of such political subdivision, or any defined district now or hereafter to be described and defined, thereof, voting thereon to issue bonds of said county, to an amount not exceeding one-fourth of the assessed valuation of the real property of such county or of such political subdivision, or any defined district now or hereafter to be described and defined, and to levy and collect taxes to pay the interest on such bonds and to provide a sinking fund for the redemption thereof, for the purpose of constructing, maintaining and operating macadamized, graveled or paved roads, and turnpikes, or in aid thereof, and prescribing ways and means of conducting and supervising said work; providing for appointment of a board of commissioners and their duties; providing for the redemption of road bonds now outstanding against Road District No. 1, and especially exempting said county from the provisions of Art. 637d of Chapter 203 of the Acts of the 35th Legislature at its Regular 1917 Session and declaring an emergency."

Read first time and referred to Committee on Roads, Bridges and Ferries.

By Senators Suiter and Hopkins:

S. J. R. No. 19, a resolution to be entitled "A Joint Resolution proposing and submitting to a vote of the people of Texas an amendment to Section 9, Article VIII, of the Constitution of the State of Texas, providing for local option taxes for the improvement and maintenance of the public roads."

Read first time, and referred to Committee on Constitutional Amendments.

By Senator Caldwell:

S. B. No. 221, A bill to be entitled "An Act to permit the destruction of of all papers, except the dockets of the Justice Courts, in the State of Texas, after ten years from the rendition of judgment in any case, and declaring an emergency."

Read first time, and referred to Committee on Civil Jurisprudence.

By Senator Caldwell:

S. B. No. 222, A bill to be entitled "An Act to amend Chapter 81 of the Fourth Called Session of the Thirty-fifth Legislature, by adding after Section 10 a new section to be known as Section 10a, allowing an extra compensation to the first deputy clerk of the Supreme Court for additional services rendered in the discharge of the increased duties in the office occasioned by the creation of the Commission of Appeals, and declaring an emergency."

Read first time, and referred to Committee on Civil Jurisprudence.

By Senator Dayton:

S. B. No. 223, A bill to be entitled "An Act rewriting, amending and repealing certain articles and parts of Chapter 6, Title 65, of the Revised Civil Statutes of 1911 of Texas; and repealing certain sections therein; amending certain other sections, and declaring an emergency."

Read first time, and referred to Committee on Agricultural Affairs.

By Senator Floyd:

S. B. No. 224, A bill to be entitled "An Act for the relief of the heirs of Charles Broach and to validate a survey of 320 acres of land in Franklin County, made by virtue of certificates granted to William Lane, and to authorize the Commissioner of the Land Office to issue patents thereto."

Read first time, and referred to Committee on Public Lands and Land Office.

By Senator Smith:

S. B. No. 225, A bill to be entitled "An Act to provide for the licensing and governing the operations of agents, solicitors and collectors representing insurance companies, fraternal benefit societies and associations incorporated and unincorporated, transacting a life, accident or health insurance business in this State, providing for the revocation of such license, and declaring an emergency."

Read first time, and referred to Committee on Insurance and Banking.

By Senator Cousins:

S. B. No. 226, A bill to be entitled "An Act to provide for and prescribe an uniform manner and method for the proceedings of County Commissioners' Courts, when sitting as Boards of Equalization, of Boards of Equalization appointed by city or town councils, and of Boards of Equalization appointed by school trustees, in equalizing property valuations for taxation, of the intent of such boards to raise the valuations of property rendered for taxation and providing for the repeal of all laws and parts of laws in conflict with or inconsistent with this Act, and declaring an emergency."

Read first time, and referred to Committee on Civil Jurisprudence.

By Senator Parr:

S. B. No. 227, A bill to be entitled "An Act to amend Chapter 181 of the General Laws of the Regular Session of the Thirty-fifth Legislature of the State of Texas (page 396 of said laws) relating to the regulation, growing and marketing of fruits and vegetables, by adding thereto Section 9a, exempting the onion growers from the provisions of said Act, and declaring an emergency."

Read first time, and referred to Committee on Agricultural Affairs.

By Senator Dorrough:

S. B. No. 228, A bill to be entitled "An Act relating to garages and machine shops, requiring mechanics employed or working therein to pass an examination and secure a license, and granting to the owners and operators of garages and machine shops a lien for labor materials and parts furnished and declaring an emergency."

Read first time and referred to Committee on Internal Improvements.

By Senator Carlock:

S. B. No. 229, A bill to be entitled "An Act to provide for the better enforcement of the Traffic Laws of this State, regulating the use of the public highways by motor vehicles; giving the Commissioners Court in each county the right to employ one or more deputies to work under the sheriff in the special enforcement of said law, to define the duties of said officers; to regulate their compensation and to provide that the expenses of said officers shall be paid out of the County's share of the registration fees received from the Highway Department; regulating the disposition of fines collected in the prosecutions contemplated by this Act, and declaring an emergency."

Read first time and referred to Committee on Roads, Bridges and Ferries.

By Senator Faust:

S. B. No. 230, A bill to be entitled "An Act to amend Article 3850, of the Revised Civil Statutes of 1911, so as to bring about a definite construction as to the time for the payment of commissions authorized, and declaring an emergency."

Read first time and referred to Committee on Civil Jurisprudence.

By Senators Woods and Johnston:

S. B. No. 231, A bill to be entitled "An Act to amend Title 15, Chapter 1, of the Penal Code of the State of Texas adopted in 1911, by adding thereto Article 1019a, defining the offense of negligent assault and battery, fixing a penalty therefor, and declaring an emergency."

Read first time and referred to Committee on Criminal Jurisprudence.

By Senator Dean:

S. B. No. 232, A bill to be entitled "An Act to amend Article 2802 of the Revised Civil Statutes of the State of Texas relating to Permanent Teachers' Certificates, so as to add thereto the provision that any person who has taught as long as forty (40) years in the public schools of this State shall, upon recommendation of the Board of School Trustees, be entitled to receive a permanent certificate of the grade last held by him and declaring an emergency."

Read first time and referred to Committee on Educational Affairs.

By Senator Alderdice:

S. B. No. 233, A bill to be entitled "An Act to amend Chapter 27, of the

General Laws passed by the 35th Legislature of the State of Texas, 1917, entitled 'An Act to amend Section 8, Chapter 119, passed by the Regular Session of the Thirty-second Legislature of the State of Texas, 1911,' relating to official short hand reporters' compensation in certain counties; and declaring an emergency."

Read first time and referred to Committee on Civil Jurisprudence.

Bills Signed.

The Chair, Lieutenant-Governor Johnson, gave notice of signing, and did sign in the presence of the Senate after their captions had been read, the following:

H. B. No. 83, A bill to be entitled "An Act amending Section 7 of an act passed at the Regular Session of the Thirty-fifth Legislature of the State of Texas, entitled 'An Act to be known as the Interchangeable Jury Law, to regulate the selection, organization and custody of juries in all cases except capital and lunacy cases in counties where there are now three or more, or may hereafter be established three or more district courts, and to appeal all laws in conflict herewith,' and declaring an emergency."

H. B. No. 145, A bill to be entitled "An Act to amend Sections 1, 2, and 8, Chapter 118, Special Laws enacted at the Regular Session of the Thirty-fifth Legislature, known as a Special Road Law for Cherokee County, and declaring an emergency."

H. C. R. No. 23, Providing for an audit and investigation of the State Highway Department.

Senate Bill No. 122—Subject to Call.

By unanimous consent and on request of Senator Caldwell, S. B. No. 122, providing for sale of the north one-half of Block No. 124 of the City of Austin, to the trustees of the First M. E. Church South of Austin,

Was laid on the table subject to call after the special committee to ascertain value of said property has had time in which to make its report.

Simple Resolution No. 53.

Whereas, An intelligently thrifty and saving citizenship is the greatest

guarantee of the prosperity of a Nation or any subdivision thereof; and

Whereas, Such characteristics are a certain proof of a strong, self-reliant and independent people; and

Whereas, The United States Government through a nation-wide educational campaign is seeking to inculcate the science of wise spending and wise saving through the practice of intelligent personal economy and conservation; and

Whereas, The United States Government through the war savings movement is urging its citizenship to attain the goal of success through the systematic and business-like saving and investment of their savings in United States Government War Savings Certificate Stamps and Thrift Stamps; and

Whereas, A safer and surer investment than United States Government War Savings Certificate Stamps, which constantly increase in value and which constant increase is guaranteed, can not be had; and

Whereas, The flower of our State and the Nation have given their lives by the thousands upon the battlefields of France that the world might be made safe for democracy and the citizens of our State and Nation enjoy the blessings of world peace; and

Whereas, The United States Government spent of its treasure that victory might be won, believing that its people appreciate the blessings of peace to the extent that they will lend of their savings that the Victory bill may be paid and lasting peace assured; and

Whereas, There are still thousands of our soldiers guarding the Rhine and bearing the torch of democracy in the snow-covered plains of Russia; and

Whereas, The test hour of the patriotism of our people and honor of our State is here; therefore, be it

Resolved by the Senate of the Thirty-sixth Legislature, That the citizens of the State of Texas be urged to the practice of wise spending and wise saving that by thrift they may acquire power and by saving succeed; and further, be it

Resolved, That the citizenship of Texas set itself to the practice of thrift, giving expression thereof in the acquisition of United States Government War Savings Certificate Stamps and Thrift Stamps.

DEAN.

The resolution was read and adopted.

Bills Re-Referred.

By unanimous consent and on request of Senator Dayton, S. C. R. No. 14 was withdrawn from the Committee on Educational Affairs and referred to the Committee on Public Lands and Land Office.

Senator Johnston asked for unanimous consent to have S. B. No. 152 withdrawn from the Committee on Privileges and Elections and referred to the Committee on State Affairs.

There was no objection, and the bill was referred as requested.

Senate Concurrent Resolution No. 15.

Resolved, by the Senate of Texas, the House of Representatives concurring, That the Regular Session of the Thirty-sixth Legislature be adjourned sine die on Friday, March 14, 1919.

McNEALUS.

The resolution was read and referred to the Committee on State Affairs.

Simple Resolution No. 54.

Feeling that the public sentiment of the people of Texas, as expressed by resolution of this Senate, would better enable the Congress of the United States to solve and direct the course of the problem of government ownership of telegraph and telephone lines; therefore, be it

Resolved by the Senate of the Thirty-sixth Legislature of the State of Texas, That we are opposed to government ownership of telegraph and telephone lines; be it further

Resolved, That we favor the return of the telegraph and telephone lines to their owners at the earliest possible moment; be it further

Resolved, That the Secretary of the Senate forward properly authenticated copies of this resolution to each Senator and member of Congress in the United States Congress and copies to the Chief Clerk of the Legislature of every State in the United States.

JOHNSTON.

The resolution was read and adopted.

Message From the House.

Austin, Texas, February 7, 1919.

Hall of the House of Representatives,
Lieutenant-Governor W. A. Johnson,
President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

S. B. No. 5, A bill to be entitled "An Act to amend Title 49, Chapter 9, of the Revised Civil Statutes of this State, and Articles 3082 and 3083 thereof, and by adding Article 3083a, prescribing the eligibility of State, county, precinct and municipal officers of this State, and prohibiting the issuance of certificates of election to anyone ineligible to hold office in this State, and prohibiting the issuance of certificates of party nominations of ineligible candidates, and prohibiting the placing of the name of any ineligible candidate upon the ballot for any general or special election; providing for writs of injunction and all other necessary process at the suit of any interested party to enforce the provisions of this Act, and conferring jurisdiction upon all the district courts of the State in cases filed hereunder, and providing that such cases shall have first right of precedence upon trial and appeal, and declaring an emergency."

S. B. No. 14, A bill to be entitled "An Act to prohibit the maintenance and operation of pool halls within the State of Texas; defining the term pool hall as used in this Act; declaring that the threatened, actual or contemplated use of any premises, place, room building, or part thereof, or tent or any kind of enclosure, for the purpose of a pool hall as defined in this Act, shall be enjoined at the suit of the State or any citizen thereof; stating who may be made party defendant in such injunction suit; conferring certain power and authority upon and fixing certain duties for the Attorney General and the County and District Attorneys of the State with reference to such suits; fixing the procedure in such suits; creating and defining offenses in violation of the Act, and providing the punishment therefor, and declaring an emergency."

S. B. No. 16, A bill to be entitled "An Act to amend Article 1121, Chapter 2, Title 25, Revised Civil Statutes of the State of Texas, relating to private corporations, by adding thereto

Section 78, providing for the creation of corporations for the establishment and maintenance of drilling companies; with authority to own and operate drilling rigs, machinery, tools and apparatus necessary in the boring or otherwise sinking wells in the production of oil, gas or water, or either, and the purchase and sale of such goods, wares and merchandise used for such business."

S. B. No. 18, A bill to be entitled "An Act to amend Article 1121, Chapter 2, Title 25, Revised Civil Statutes of the State of Texas, relating to private corporations, by adding thereto Section 80, providing for the creation of private corporations for the construction, building and manufacturing of aeroplanes, including all classes of flying machines, to buy, sell and otherwise deal therein, and to operate, or have operated, any such machines for the purpose of carrying passengers and freight, both or either, including United States mail, from and to any point in this State, and subject to the laws thereof, to and from any point in any State of the United States, or any foreign country, with the right to acquire by purchase, or otherwise, and to maintain all necessary starting and alighting grounds and fields, and declaring an emergency."

S. B. No. 38, A bill to be entitled "An Act to amend Articles 4644 and 4645, Title 69, of the Revised Civil Statutes of Texas, relating to appeals in the granting, refusing to grant, dissolving and refusing to dissolve injunctions; and providing that transcript may be filed in the Court of Civil Appeals not later than twenty days after the entry of such order or judgment of record, and providing for giving appellee copy of brief, and declaring an emergency."

S. B. No. 39, A bill to be entitled "An Act to amend Article 918, of the Code of Criminal Procedure of 1911, relating to the giving of recognizances on appeal by providing that in case the defendant shall fail to enter into recognizance during the term of court at which he was tried he may be permitted to give bail and obtain his release from custody by giving, after the expiration of such term of court, his bail to the Sheriff in an amount fixed by the court, and declaring an emergency."

With amendments.

S. B. No. 40, A bill to be entitled "An Act to amend Article 1845, of the Revised Civil Statutes of 1911, relating to suit brought by the State of Texas or any county or city or independent school district or common school district against any officer or depository thereof, when such officers have held office for more than one term, and providing for suit against their different bondsmen, and declaring an emergency."

S. B. No. 116, A bill to be entitled "An Act to levy and collect annually a five-dollar road tax against all able-bodied citizens of Fayette County who are between the ages of 21 and 60 years; providing the manner of assessment and collection of said tax and further providing for a penalty for failure or refusal to pay said tax; repealing all laws in conflict therewith, and declaring an emergency."

S. B. No. 117, A bill to be entitled "An Act to amend an Act passed by the Thirty-second Legislature and approved on the 23d day of March, 1911, by adding to said Act Section 17, providing that the funds hereafter derived from any county road tax or from the sale of any county road bonds, and not such funds as have been provided by elections in precincts or defined districts, shall be prorated between the commissioner's precincts of said Hardin County when said tax is so levied or said bonds are so issued, in the ratio that the amount of taxes collected in the precinct bears to the whole amount so collected or obtained by the county, and the Commissioners' Court shall require the County Treasurer to keep a separate account for each commissioner's precinct of said county of all the road funds so arising or obtained by the county, and declaring an emergency."

S. B. No. 48, A bill to be entitled "An Act creating the Colorado Independent School district in Mitchell county, Texas, and declaring an emergency."

H. B. No. 40, A bill to be entitled "An Act to amend Section 1, S. B. No. 19, Chapter 2, pages 217 and 218 of the published laws enacted by the Thirty-fifth Legislature at its Fourth Called Session, creating the Bellville Independent School District, revising the metes and bounds of said district, and declaring an emergency."

By Mr. Brown of Liberty:

H. B. No. 59, A bill to be entitled "An Act to amend an Act passed by the Thirty-second Legislature and approved on the 23d day of March, 1911, by adding to said Section 17, providing that the funds hereafter derived from any county road tax or from the sale of any such county road bonds, and not such funds as have been provided by elections in precincts or defined districts, shall be prorated between the commissioners precincts of said Hardin County when said tax is so levied or said bonds are so issued, in the ratio that the amount of taxes collected in the precinct bears to the whole amount so collected or obtained by the county, and the commissioners court shall require the county treasurer to keep a separate account for each commissioners precinct of said county of all the road funds so arising or obtained by the county, and declaring an emergency."

By Mr. Gaddy and Mr. Stout:

H. B. No. 67, A bill to be entitled "An Act to amend the Act of the Thirty-fourth Legislature entitled "An Act to create a county court of Jefferson county at law, to define its jurisdiction; to fix its terms; providing for a clerk thereof; providing for the appointment of a judge thereof; fixing the salary of the clerk and the judge thereof; providing for the transfer of cases and appeals therefrom."

By Mr. Childers:

H. B. No. 120, A bill to be entitled "An Act to restore to and confer upon the county court of Falls County the civil jurisdiction belonging to said court under the Constitution and general statutes of Texas; to define the jurisdiction of said court; to confer the jurisdiction of the district court to said change; to fix the time of holding court; to repeal all laws in conflict with this act, and declaring an emergency."

H. B. No. 131, A bill to be entitled "An Act to amend Sections 3 and 7 of Chapter 32 of the local and special laws of the Regular Session of the Thirty-fifth Legislature, so as to regulate the pay of road hands and teams, and road overseers of Gillispie county, Texas."

By Mr. Ford:

H. B. No. 138, A bill to be entitled "An Act to increase the civil jurisdiction of the county court of Mitch-

ell county, and declaring an emergency."

H. B. No. 185, A bill to be entitled "An Act creating the Waskom Independent School District in the county of Harrison, State of Texas; defining its boundaries; providing for a board of trustees to manage and control the public free schools within said district for the assessment and collection of taxes and for the appointment and election by the said board of trustees of a treasurer; granting the power unto said board of trustees to issue coupon bonds and providing for a sinking fund therefor; granting power unto said board of trustees to purchase school sites and erect, furnishing, equipping and maintaining schools and school buildings within said district, and providing for an emergency."

H. B. No. 337, A bill to be entitled "An Act creating the Jasper Independent School District known as Common School District No. 6, in Jasper county, Texas, and defining its boundaries; and to provide for the creating of trustees thereof; and authorizing the board of trustees to levy, assess and collect special taxes, and conferring upon the board of trustees plenary powers, and providing authority to issue bonds for the purpose of purchasing school sites and erecting, furnishing and equipping school buildings within the same, and to levy a tax therefor, etc."

S. B. No. 123, A bill to be entitled "An Act to amend Section 1 of Chapter 67, Special Laws of the Regular Session of the Thirty-fourth Legislature, approved March 22, 1915, creating and defining the boundaries of the Burnet Independent School District in Burnet County, Texas, and to add to said chapter Sections 2a and 2b, validating an order passed by the commissioners' court of Burnet County, Texas, changing the boundaries of the Burnet Independent School District so as to embrace the same territory described in this Act, and validating a bond election heretofore held in said district, and declaring an emergency."

H. B. No. 99, A bill to be entitled "An Act to amend Section 8 of Chapter 70 of the General Laws of the State of Texas, passed by the Fourth Called Session of the Thirty-fifth Legislature of the State of Texas in 1918, relating to the compensation of official shorthand reporters in Dal-

las County, Harris County, Bexar County and Travis County, and declaring an emergency."

H. B. No. 198, A bill to be entitled "An Act to amend Sections 5 and 13, of Chapter 2, of the local and special laws passed at the Regular Session of the Thirty-third Legislature, as amended by Chapter 2 of local and special laws passed at the Regular Session of the Thirty-fourth Legislature, the same being a special road law for Shelby County; requiring ten days' work from each person subject to road duty or to require in lieu thereof the payment of five (\$5.00) dollars for each said person; and to require the commissioners' court at the regular session of their court in February of every year, or at any time they may see fit, to appoint road overseers; and providing that said five (\$5.00) dollars shall be paid on or before the 1st day of March for the year 1919 and on or before the 31st day of January for every year thereafter; repealing all laws in conflict herewith, and declaring an emergency."

H. B. No. 215, A bill to be entitled "An Act to repeal Chapter 23 of the local and special laws of the State of Texas, passed at the Regular Session of the Thirty-fifth Legislature, the same being an act to create a more efficient road system for Live Oak county, Texas."

H. B. No. 216, A bill to be entitled "An Act to amend Section 1 of Chapter 67, Special Laws passed at the Regular Session of the Thirty-fourth Legislature, approved March 22, 1915, creating and defining the boundaries of the Burnet Independent School District in Burnet County, Texas, and to add to said chapter Sections 2a and 2b, validating an order passed by the commissioners' court of Burnet County, Texas, changing the boundaries of the Burnet Independent School District so as to embrace the same territory described in the Act, and validating a bond election heretofore held in said district, and declaring an emergency."

H. B. No. 269, A bill to be entitled "An Act to create a more efficient road system for Wood County, making the county commissioners ex officio road commissioners, prescribing their duty as such, providing for monthly reports, requiring each county commissioner to enter into bond in the sum of two thousand (\$2000)

dollars, making it the duty of county commissioners to first put in repair all roads heretofore constructed, graveled or clayed, before proceeding to build new roads, to sectionize all roads placed in good condition with authority to appoint or contract for road keepers or overseers for each section of road to keep the same in repair, and further defining the duties of road keepers, giving commissioners' court power to adopt such system as seems best except as this Act especially provides, the right to purchase tools, animals, machinery and material for road purposes, and employ and pay for labor, the right to work county convicts upon the road, amount to be paid officers, and necessary rules to govern the working of State convicts, and to allow commutation to those for faithful service, etc., providing for escaped and recaptured convicts to work out costs of recapture, providing for the working on public roads, to prohibit any person from obstructing any public road or fill any ditch along the public road, and providing penalty for same, provided this Act shall be taken notice of by all courts in the same manner as the general laws of the State on this subject, to which it relates, not in conflict therewith, providing this Act shall take the place of and repeal all other special road laws heretofore passed for the benefit of Wood County, and declaring an emergency."

H. B. No. 277, A bill to be entitled "An Act creating and incorporating Harrisburg Independent School District in Harris County, Texas, out of the territory now composing Common School District No. 20 of said county, providing that the title of the school property vested in said Common School District No. 20 shall vest in said Harrisburg Independent School District, and that said independent school district assume the debts of said Common School District No. 20; providing for a board of trustees of said Harrisburg Independent School District, providing the time and manner of their election, defining their powers and duties, and declaring an emergency."

H. B. No. 282, A bill to be entitled "An Act to amend Section 3, Chapter 60, Special Laws of the Thirty-third Legislature, as set out on pages 190 to 200 of the Local and Special Laws enacted during the Regular Session thereof, entitled 'Hunt Coun-

ty Road Law,' by re-enacting Section 3 thereof, so as to provide that in all political subdivisions or defined districts of said county, wherein there are less than one hundred (100) property taxpaying qualified voters residing a majority of such voters, by their petition in writing, duly subscribed and verified by the oath of at least two of the subscribers thereto, showing that it contains the names of a majority of the property taxpaying voters of such subdivision or district, presented to the commissioners' court of said county, shall be sufficient to authorize the ordering and holding of an election to determine whether or not the bonds of such political subdivision or defined district shall be issued as in said section and chapter provided, and declaring an emergency."

H. B. No. 315, A bill to be entitled "An Act to incorporate Merit Independent School District in Hunt and Collin Counties, and to provide for the election of trustees, and to provide for taxation, issuing bonds, providing for the exercise of all powers and privileges incident and belonging to independent school districts, providing for the issuance of bonds for all purposes authorized by law and for maintaining a system of public free schools therein, repealing all laws and parts of laws inconsistent therewith, and declaring an emergency."

H. B. No. 320, A bill to be entitled "An Act creating the Saratoga Independent School District in Hardin County, and declaring an emergency."

H. B. No. 332, A bill to be entitled "An Act creating and incorporating Humble Independent School District in Harris County, Texas, out of the territory now composing Common School District No. 50 of said county, providing that the title of the school property vested in said Common School District No. 50 shall vest in said Humble Independent School District, and that said independent school district assume the debts of said Common School District No. 50; providing for a board of trustees of said Humble Independent School District, providing the time and manner of their election, defining their powers and duties, and declaring an emergency."

Respectfully submitted,

T. B. REESE,
Chief Clerk, House of Representatives

Bills Read and Referred

The Chair, Lieutenant Governor Johnson, had referred, after their captions had been read, the following House bills:

H. B. No. 40, referred to the Committee on Educational Affairs.

H. B. No. 59, referred to the Committee on Roads, Bridges and Ferries.

H. B. No. 67, referred to the Committee on Judicial Districts.

H. B. No. 120, referred to the Committee on Judicial Districts.

H. B. No. 131, referred to the Committee on Roads, Bridges and Ferries.

H. B. No. 138, referred to the Committee on Judicial Districts.

H. B. No. 185, referred to the Committee on Educational Affairs.

H. B. No. 337, referred to the Committee on Educational Affairs.

H. B. No. 99, referred to the Committee on Counties and County Boundaries.

H. B. No. 198, referred to the Committee on Roads Bridges and Ferries.

H. B. No. 215, referred to the Committee on Roads, Bridges and Ferries.

H. B. No. 216, referred to the Committee on Educational Affairs.

H. B. No. 269, referred to the Committee on Roads, Bridges and Ferries.

H. B. No. 277, referred to the Committee on Educational Affairs.

H. B. No. 282, referred to the Committee on Roads, Bridges and Ferries.

H. B. No. 315, referred to the Committee on Educational Affairs.

H. B. No. 320, referred to the Committee on Educational Affairs.

H. B. No. 332, referred to the Committee on Educational Affairs.

Senate Concurrent Resolution No. 16.

A concurrent resolution to correct an error in the engrossment of Senate Bill No. 14.

Be it resolved by the Senate of Texas, the House of Representatives concurring, that the engrossing clerk of the Senate be and she is hereby authorized and directed to correct Senate Bill No. 14 as engrossed so that the clause, "or by both such fine or imprisonment, as the same appears in Section 2 of said bill as corrected so as to read, "or by both such fine and imprisonment" as the same ap-

pears in the original bill, and that the enrolling clerk be authorized and directed to enroll said bill as corrected by this resolution.

FLOYD,
STRICTLAND,
HOPKINS.

The resolution was read and adopted.

Morning call concluded.

Senate Bill No. 87.

Senator Bailey called from the table and the Chair laid before the Senate on second reading:

S. B. No. 87, A bill to be entitled "An Act to amend Sections 1, 2, 3 and 4 of an Act to provide for the printing, publication and sale of the reports of the decisions of the Supreme Court, Court of Criminal Appeals and the Courts of Civil Appeals of the State of Texas, Chapter 30 of the Acts of the Thirty-third Legislature, approved March 20, 1913, and also amend Article 1572 of Chapter 12, and to repeal Article 1651 of Chapter 13, of the Revised Civil Statutes, A. D. 1911, concerning said reports, with a repealing clause, and declaring an emergency."

The bill was read second time and passed to engrossment.

On motion of Senator Bailey, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 87 put on its third reading and final passage by the following vote:

Yeas—25.

Alderdice.	Floyd.
Bailey.	Gibson.
Bell.	Hertzberg.
Buchanan of Bell.	Hopkins.
Buchanan of Scurry.	Johnston.
Caldwell.	McNealus.
Carlock.	Parr.
Cousins.	Smith.
Dayton.	Strickland.
Dean.	Suiter.
Dorough.	Westbrook.
Dudley.	Woods.
Faust.	

Absent.

Clark.	Williford.
Hall.	Witt.
Page.	

The bill was laid before the Senate, read third time and, on motion of

Senate Bailey, was passed by the following vote:

Yeas—23.

Alderdice.	Floyd.
Bailey.	Gibson.
Bell.	Hertzberg.
Buchanan of Scurry.	Hopkins.
Caldwell.	Johnston.
Carlock.	McNealus.
Cousins.	Parr.
Dayton.	Smith.
Dean.	Suiter.
Dorough.	Westbrook.
Dudley.	Woods.
Faust.	

Present—Not Voting.

Buchanan of Bell.

Absent.

Clark.	Strickland.
Hall.	Williford.
Page.	Witt.

Senate Bill No. 103.

The Chair laid before the Senate as pending business on second reading:

S. B. No. 103, A bill to be entitled "An Act for the purpose of promoting the public school interest of rural schools and those of small towns, of aiding the people and providing adequate school facilities for the education of their children by the appropriation of two million dollars each year, or so much thereof as may be necessary, for the next two fiscal years ending August 31, 1920, and August 31, 1921, respectively, by allowing the State Board of Education to aid such schools and providing how such schools shall be located and school buildings constructed, furnished and maintained, and providing certain prerequisites for the granting of such aid, and providing that no school having over five hundred scholastics, exclusive of transfers, shall receive such aid; and providing that such schools receiving such aid shall have a certain percentage of attendance, with exceptions; and providing that certain of said schools so receiving aid shall add a local school tax of not less than fifty cents on the one hundred dollar valuation, and giving the State Board of Education power to establish rules and regulations for the organization of such

country schools and otherwise carrying out the purposes and intentions of this Act; and defining the powers of the State Board of Education in that connection, and providing for assistants to the State Superintendent to be known as 'rural school supervisors'; and providing for reports to be made to the State Board of Education; and providing for the manner of payment and disbursement of all money granted under the provisions of this Act; repealing all laws in conflict herewith, and declaring an emergency."

The question being upon the substitute offered by Senator Buchanan of Scurry for the pending amendment by Senator Alderdice.

The substitute being as follows:

Amend S. B. No. 103 by striking out sub-sections 1, 3 and 4 of Section 5 of printed bill, and renumbering remaining sub-sections consecutively.

Senator Dean moved to table the substitute and this motion prevailed by the following vote:

Yeas—13.

Alderdice.	Faust.
Bailey.	Floyd.
Buchanan of Bell.	Johnston.
Caldwell.	Suiter.
Cousins.	Westbrook.
Dean.	Witt.
Dorough.	

Nays—12.

Bell.	McNealus.
Buchanan of Scurry.	Page.
Dayton.	Parr.
Dudley.	Smith.
Gibson.	Strickland.
Hopkins.	Woods.

Present—Not Voting.

Carlock.

Absent.

Clark.	Hertzberg.
Hall.	Williford.

Action then recurred upon the pending amendment by Senator Alderdice as follows:

Amend S. B. No. 103, by striking out all sub-divisions Nos. 1, 2, 3, and 4 of Sec. 5.

The amendment was withdrawn.

Senator Alderdice offered the following amendment:

Amend S. B. No. 103 by striking

out sub-division No. 1, of Sec. 5, of printed bill.

The amendment was read and adopted by the following vote:

Yeas—19.

Alderdice.	Gibson.
Bailey.	Hertzberg.
Bell.	McNealus.
Buchanan of Bell.	Parr.
Buchanan of Scurry.	Smith.
Carlock.	Strickland.
Dayton.	Suiter.
Dorough.	Westbrook.
Dudley.	Woods.
Faust.	

Nays—6.

Caldwell.	Floyd.
Cousins.	Hopkins.
Dean.	Witt.

Absent.

Clark.	Page.
Hall.	Williford.
Johnston.	

Senator Alderdice offered the following amendment:

Amend S. B. No. 103 by striking out sub-division No. 2 of Sec. 5 of printed bill.

The amendment was lost by the following vote:

Yeas—12.

Alderdice.	Page.
Bailey.	Parr.
Buchanan of Bell.	Strickland.
Carlock.	Suiter.
Dudley.	Westbrook.
Faust.	Witt.

Nays—15.

Bell.	Gibson.
Buchanan of Scurry.	Hertzberg.
Caldwell.	Hopkins.
Cousins.	Johnston.
Dayton.	McNealus.
Dean.	Smith.
Dorough.	Woods.
Floyd.	

Absent.

Clark.	Williford.
Hall.	

Senator Alderdice offered the following amendment which was read:

(2) Amend S. B. No. 103 by striking out sub-division No. 3 of Sec. 5 of printed bill.

Senator Dayton offered the following substitute for the amendment:

Amend sub-division 5, Sec. 5, to read as follows:

Any school district may acquire by gift, or devise, a school farm, and same shall be absolute property of said district; and exempt from all taxes; provided it does not exceed 40 acres in extent.

Senator Hopkins raised the point of order that the substitute is in conflict with existing legal rights of schools to acquire land.

The Chair overruled the point of order.

Senator Caldwell raised the point of order that the substitute is not germane.

The Chair overruled the point of order.

Senator Hopkins moved to table the substitute and this motion prevailed.

Action then recurred upon the amendment and the same was adopted.

Senator Alderdice offered the following amendment which was read and adopted:

(3) Amend S. B. No. 103 by striking out sub-division No. 4 of Sec. 5 of printed bill.

Senator Smith offered the following amendment:

(4) Amend S. B. No. 103, page 3, line 13, by inserting after the word "valuation" and before the semicolon the following: "But if such school has not received aid for one year, such aid shall be granted for one year only."

Pending.

Message From The House

Hall of the House of Representatives,
Austin, Texas, Feb. 7, 1919.

Lieutenant-Governor W. A. Johnson,
President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. J. R. No. 19, To amend Section 50, Article 3, of the Constitution of the State of Texas, to provide that the Legislature shall have power to give or lend or authorize the giving or lending of the credit of the State for the purpose of assisting citizens who are heads of families to acquire or improve their homes; authorizing the State to acquire, improve sell or lease real estate or assist such citizens to acquire or improve

their homes upon terms and conditions prescribed by the Legislature; authorizing the Legislature to create such agencies and corporations as may be necessary to carry out the purposes of this section; providing that obligations created under this section shall never be taxed; and providing that the Legislature shall have authority to provide a method of securing any deferred payments for lands purchased hereunder, and that such obligations shall be secured in addition to the usual liens by an annual assessment collected as a tax against the land; and providing that the Legislature shall have no power to relieve any person from obligation entered into under this provision or any statute enacted thereunder.

With engrossed riders.

Respectfully submitted,

T. B. REESE,

Chief Clerk, House of Representatives.

Resolution Read And Referred

The Chair had referred, after its caption had been read, the following:

H. J. R. No. 19, Referred to the Committee on Constitutional amendments.

Bills Signed.

The Chair, Lieutenant Governor Johnson, gave notice of signing and did sign in the presence of the Senate, after their captions had been read, the following bills:

S. B. No. 5. A bill to be entitled "An Act to amend Title 49, Chapter 9, of the Revised Civil Statutes of this State, and Articles 3082 and 3083 thereof, and by adding Article 3083a, prescribing the eligibility of State, county, precinct and municipal officers of this State, and prohibiting the issuance of certificates of election to anyone ineligible to hold office in this State, and prohibiting the issuance of certificates of party nominations of ineligible candidates, and prohibiting the placing of the name of any ineligible candidate upon the ballot for any general or special election; providing for writs of injunction and all other necessary process at the suit of any interested party to enforce the provisions of this Act, and conferring jurisdiction upon all the district courts of the State in

cases filed hereunder, and providing that such cases shall have first right of precedence upon trial and appeal, and declaring an emergency."

S. B. No. 16. A bill to be entitled "An Act to amend Article 1121, Chapter 2, Title 25, Revised Civil Statutes of the State of Texas, relating to private corporations, by adding thereto Section 78, providing for the creation of corporations for the establishment and maintenance of drilling companies, with authority to own and operate drilling rigs, machinery, tools and apparatus necessary in the boring or otherwise sinking wells in the production of oil, gas or water, or either, and the purchase and sale of such goods, wares and merchandise used for such business."

S. B. No. 18. A bill to be entitled "An Act to amend Article 1121, Chapter 2, Title 25, Revised Civil Statutes of the State of Texas, relating to private corporations, by adding thereto Section 80, providing for the creation of private corporations for the construction, building and manufacturing of aeroplanes, including all classes of flying machines, to buy, sell and otherwise deal therein, and to operate, or have operated, any such machines for the purpose of carrying passengers and freight, both or either, including United States mail, from and to any point in this State, and subject to the laws thereof, to and from any point in any State of the United States, or any foreign country, with the right to acquire by purchase, or otherwise and to maintain all necessary starting and alighting grounds and fields, and declaring an emergency."

S. B. No. 38. A bill to be entitled "An Act to amend Articles 4644 and 4645, Title 69, of the Revised Civil Statutes of Texas, relating to appeals in the granting, refusing to grant, dissolving and refusing to dissolve injunctions; and providing that transcript may be filed in the Court of Civil Appeals not later than twenty days after the entry of such order or judgment of record, and providing for giving appellee copy of brief, and declaring an emergency."

S. B. No. 40. A bill to be entitled "An Act to amend Article 1845, of the Revised Civil Statutes of 1911, relating to suit brought by the State of Texas or any county or city or independent school district or common school district against any officer or depository thereof, when such officers

have held office for more than one term, and providing for suit against their different bondsmen, and declaring an emergency."

House Bill No. 282.

(By unanimous consent.)

Senator Westbrook moved that the constitutional rule requiring bills to be read on three several days be suspended and House Bill No. 282 put on its second reading.

The motion prevailed by the following vote:

Yeas—25.

Alderdice.	Gibson.
Bell.	Hertzberg.
Buchanan of Bell.	Hopkins.
Buchanan of Scurry.	Johnston.
Caldwell.	McNealus.
Carlock.	Page.
Cousins.	Parr.
Dayton.	Smith.
Dean.	Suiter.
Dorough.	Westbrook.
Dudley.	Witt.
Faust.	Woods.
Floyd.	

Absent.

Bailey.	Strickland.
Clark.	Williford.
Hall.	

The Chair laid before the Senate on second reading:

H. B. No. 282, A bill to be entitled "An Act to amend Section 3, Chapter 60. Special Laws of the Thirty-third Legislature as set out on pages 190 to 200 of the Local and Special Laws enacted during the Regular Session thereof, entitled 'Hunt County Road Law,' by re-enacting Section 3 thereof, so as to provide that in all political subdivisions or defined districts of said county, wherein there are less than one hundred (100) property taxpaying qualified voters residing a majority of such voters, by their petition in writing, duly subscribed and verified by the oath of at least two of the subscribers thereto, showing that it contains the names of a majority of the property taxpaying qualified voters of such subdivision or district, presented to the commissioners court of said county, shall be sufficient to authorize the ordering and holding of an election to determine whether or not the bonds of such political subdi-

vision or defined district shall be issued as in said section and chapter provided, and declaring an emergency."

The Senate rule requiring committee reports to lie over for one day was suspended by the following vote:

Yeas—25.

Alderdice.	Gibson.
Bell.	Hertzberg.
Buchanan of Bell.	Hopkins.
Buchanan of Scurry.	Johnston.
Caldwell.	McNealus.
Carlock.	Page.
Cousins.	Parr.
Dayton.	Smith.
Dean.	Suiter.
Dorough.	Westbrook.
Dudley.	Witt.
Faust.	Woods.
Floyd.	

Absent.

Bailey.	Strickland.
Clark.	Williford.
Hall.	

The Committee report that the bill be not printed was adopted.

The bill was read second time and passed to its third reading.

On motion of Senator Westbrook, the Constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 282 put on its third reading and final passage by the following vote:

Yeas—26.

Alderdice.	Floyd.
Bailey.	Gibson.
Bell.	Hertzberg.
Buchanan of Bell.	Hopkins.
Buchanan of Scurry.	Johnston.
Caldwell.	McNealus.
Carlock.	Page.
Cousins.	Parr.
Dayton.	Smith.
Dean.	Suiter.
Dorough.	Westbrook.
Dudley.	Witt.
Faust.	Woods.

Absent.

Clark.	Strickland.
Hall.	Williford.

The bill was laid before the Senate, read third time and, on motion of Senator Westbrook, was passed by the following vote:

Yeas—25.

Alderdice.	Floyd.
Bailey.	Gibson.
Bell.	Hertzberg.
Buchanan of Bell.	Hopkins.
Buchanan of Scurry.	Johnston.
Caldwell.	McNealus.
Carlock.	Page.
Cousins.	Smith.
Dayton.	Suiter.
Dean.	Westbrook.
Dorough.	Witt.
Dudley.	Woods.
Faust.	

Absent.

Clark.	Strickland.
Hall.	Williford.
Parr.	

House Bill No. 185.

(By unanimous consent.)

Senator Smith moved that the Constitutional rule requiring bills to be read on three several days be suspended and House Bill No. 185 be put on its second reading.

The motion prevailed by the following vote:

Yeas—26.

Alderdice.	Floyd.
Bailey.	Gibson.
Bell.	Hertzberg.
Buchanan of Bell.	Hopkins.
Buchanan of Scurry.	Johnston.
Caldwell.	McNealus.
Carlock.	Page.
Cousins.	Parr.
Dayton.	Smith.
Dean.	Suiter.
Dorough.	Westbrook.
Dudley.	Witt.
Faust.	Woods.

Absent.

Clark.	Strickland.
Hall.	Williford.

The Chair laid before the Senate on second reading:

H. B. No. 185, A bill to be entitled "An Act creating the Waskom Independent School District in the county of Harrison, State of Texas; defining its boundaries; providing for a board of trustees to manage and control the public free schools within said district for the assessment and collection of taxes and for the appointment and election by the said board

of trustees of a treasurer; granting the power unto said board of trustees to issue coupon bonds and providing for a sinking fund therefor; granting power unto said board of trustees to purchase school sites and erecting, furnishing, equipping and maintaining schools and school buildings within said district, and providing for an emergency."

The Senate rule requiring Committee reports to lie over for one day was suspended by unanimous vote.

The Committee report that the bill be not printed was adopted.

The bill was read second time and passed to its third reading.

On motion of Senator Smith, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 185 put on its third reading and final passage by the following vote:

Yeas—27.

Alderdice.	Gibson.
Bailey.	Hertzberg.
Bell.	Hopkins.
Buchanan of Bell.	Johnston.
Buchanan of Scurry.	McNealus.
Caldwell.	Page.
Carlock.	Parr.
Cousins.	Smith.
Dayton.	Strickland.
Dean.	Suiter.
Dorough.	Westbrook.
Dudley.	Witt.
Faust.	Woods.
Floyd.	

Absent.

Clark.	Williford.
Hall.	

The bill was laid before the Senate, read third time and, on motion of Senator Smith, was passed by the following vote:

Yeas—27.

Alderdice.	Gibson.
Bailey.	Hertzberg.
Bell.	Hopkins.
Buchanan of Bell.	Johnston.
Buchanan of Scurry.	McNealus.
Caldwell.	Page.
Carlock.	Parr.
Cousins.	Smith.
Dayton.	Strickland.
Dean.	Suiter.
Dorough.	Westbrook.
Dudley.	Witt.
Faust.	Woods.
Floyd.	

Absent.

Clark.
Hall.

Williford.

Adjournment.

At 12:47 o'clock p. m. Senator Hopkins moved that the Senate adjourn until 10 o'clock Monday morning.

As a substitute Senator Dean moved to adjourn until 10 o'clock tomorrow.

The motion to adjourn until next Monday morning was lost.

The motion to adjourn until tomorrow prevailed.

APPENDIX.

Petitions and Memorials.

Senator Bell offered three petitions numerously signed by citizens of Potter County endorsing H. B. No. 66, the whole family insurance bill.

Senator Dayton offered a similar petition from citizens of Grayson County.

Senator Floyd offered a numerously signed petition from citizens of Annona, Texas, strongly opposing Senator Bailey's bill relating to the landlord's lien.

Lieutenant Governor Johnson, presented a telegram from W. F. Lane of Houston, protesting against the passage of the Pool Hall law.

The Chair also laid before the Senate a telegram from Private Dick Humphrey of Throckmorton, Texas, asking that the Legislature do what it can to enable discharged soldiers to retain their uniform.

Engrossing Committee Reports.

Committee Room,

Austin, Texas, February 5, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on engrossed bills have had Senate Joint Resolution No. 14 carefully compared and find same to be correctly engrossed.

FAUST, Chairman.

Committee Room,

Austin, Texas, February 5, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on engrossed bills have had Senate Bill No. 50 carefully compared and find same to be correctly engrossed.

FAUST, Chairman.

Committee Room,

Austin, Texas, February 5, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on engrossed bills have had Senate Bill No. 112 carefully compared and find same to be correctly engrossed.

FAUST, Chairman.

Committee Room,

Austin, Texas, February 6, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on engrossed bills have had Senate Bill No. 118 carefully compared and find same to be correctly engrossed.

FAUST, Chairman.

Committee Reports.

Committee Room,

Austin, Texas, Feb. 6, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred

S. B. No. 147, being "An Act creating the Board of Audits and Estimates; prescribing the number, the qualifications and salaries of members of said Board; abolishing the office of State Purchasing Agent and devolving upon said Board of Audits and Estimates all of the authority and duties of the State Purchasing Agent; prescribing additional duties for said Board in the matter of purchasing supplies for the departments and institutions of the State; making it the duty of said Board to design a uniform system of accounting for the departments institutions and schools of the State and for the prison system; and requiring said Board to cause audits to be made of the books of every department, institution and school of the State, including the prison system, at least once each year and at such other times as may be practicable, advisable or necessary; charging said Board with the duty of acquiring information and data relative to the financial needs of the various departments, institutions and schools of the State, and of the Prison Commission,

and to make up and submit an appropriation budget for the use of the Legislature for the departments, institutions and schools of the State, and of the prison system; providing the number that shall be required as a quorum for said Board, and for the election of a chairman thereof; authorizing the said Board to select officers and to employ such clerical and other help as it may need; authorizing mandamus suits against said Board in the Supreme Court of the State, and declaring an emergency."

Have had same under consideration, and I am instructed to report same back to the Senate with the instructions that it do not pass, but that the following committee substitute, attached hereto, do pass in lieu therefor, and be not printed in the Journal.

WESTBROOK, Chairman.

Committee Room,

Austin, Texas, Feb. 6, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Civil Jurisprudence, to whom was referred

S. B. No. 206, being a bill to be entitled "An Act to amend the following sections and sub-sections of Chapter 207 of the Acts of the Regular Session of the Thirty-fifth Legislature, approved April 9, 1917, and commonly known as the Acts regulating the operation of motor vehicles on the public highways, to-wit: Amending Section 1 of said Act by providing for the Highway Department keeping only a numerical index of the licenses issued under said Act, and eliminating the requirement as to an alphabetical index; amending Subdivision L of Section 16 of said Act by requiring motor vehicles to come to a full stop before attempting to pass railroad trains, interurban cars or street cars, stopped for the purpose of receiving or discharging passengers; amending Section 17 of said Act by requiring that all motor vehicles when crossing railroads or interurban tracks at grade and not in cities or towns to come to a full stop; amending Section 37 of said Act by providing that the fines collected from violations thereof should be applied to the maintenance of the streets and highways, and also the enforcement of the traffic laws of the State, and declaring an emergency,"

Has had said bill under considera-

tion, and I am directed to report the same back to the Senate with the recommendation that it do pass, with the following committee amendment:

Amend Section 17 of Senate Bill No. 206 by changing the period at the end thereof to a semi-colon and adding the following:

"And provided further, that the provisions of this Act shall not be held to affect the civil liability of persons or corporations for damages accruing on account of accidents occurring at such crossings, but such liability shall be determined under the rules of law now existing, precisely the same as if this section, and the one whose place it takes, had never been enacted."

DEAN, Chairman.

Committee Room,

Austin, Texas, Feb. 6, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Civil Jurisprudence, to whom was referred

S. B. No. 167, being a bill to be entitled "An Act to amend Article 2926, Chapter 2, Title 49, of the Revised Civil Statutes of Texas, relating to compensation of election officers and hours constituting working day, so as to provide compensation for judges and clerks of general and special elections, and to provide that eight hours shall be considered a day within the meaning of this Article, and declaring an emergency."

Has had said bill under consideration, and I am directed to report the same back to the Senate with the recommendation that it do not pass.

DEAN, Chairman.

Committee Room,

Austin, Texas, Feb. 6, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Civil Jurisprudence, to whom was referred

S. B. No. 96, being a bill to be entitled "An Act to amend Article 5490 of the Revised Statutes of 1911, relating to the leasing or renting of residences, stores, houses, or other buildings and providing for registration with County Clerks."

Has had said bill under consideration, and I am directed to report the same back to the Senate with the recommendation that it do pass, with the following Committee amendment:

Amend the bill by striking out all of the first paragraph of Section 1

thereof, and insert in lieu thereof the following:

All persons leasing or renting any residence, storehouse or other building, shall have a preference lien upon all property of the tenant in such residence, storehouse or other building, for the payment of rents due and to become due, provided that in order to fix and secure the lien for rents that are more than six months due, it shall be necessary for the person leasing or renting any storehouse or other building which is used for commercial purposes, to file in the office of the County Clerk of the county in which such storehouse or such other building is situated, a statement of the amount of rent due, itemized as to the months for which it is claimed to be due, together with the name and address of the tenant, a description of the rented premises, the date on which the rental contract began and that on which it is to terminate, which statement shall be verified by the oath or affirmation of the person claiming such lien, his agent or attorney, taken before some officer duly authorized to take oaths or affirmations, and such statement when so verified shall be recorded by the County Clerk in a book to be provided for such purpose. No lien for rent more than six months past due upon any storehouse or other building rented for commercial purposes shall be valid as against bona fide purchasers or unsecured or lien creditors of said tenant, unless said statement shall be verified, filed and recorded as above provided.

DEAN, Chairman.

Committee Room,

Austin, Texas, Feb. 6, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Civil Jurisprudence, to whom was referred

S. B. No. 203, Being a bill to be entitled "An Act providing that the Industrial Accident Board of this State shall not be made a party defendant to any suit to set aside any final ruling and decision made by such Board; providing that the Industrial Accident Board shall be dismissed with its costs from all suits now pending for such purpose; providing that in event Section 2 of the bill is for any reason held invalid, such holding shall not affect the re-

mainder of the bill, and declaring an emergency."

Has had said bill under consideration, and I am directed to report the same back to the Senate with the recommendation that it do pass.

DEAN, Chairman.

Committee Room,

Austin, Texas, February 6, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Civil Jurisprudence, to whom was referred

S. B. No. 182, A bill to be entitled "An Act to provide that statement of facts in civil cases shall be filed in the Courts of Civil Appeals within ninety (90) days after an appeal is perfected or the adjournment of the term of the court at which the case was tried."

Has had said bill under consideration, and I am directed to report the same back to the Senate with the recommendation that it do not pass.

DEAN, Chairman.

Committee Room,

Austin, Texas, February 6, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Civil Jurisprudence, to whom was referred

S. B. No. 197, A bill to be entitled "An Act to amend Title 41, Chapter 5, of the Revised Civil Statutes of Texas 1911 by adding thereto Article 2316a to provide that a justice of the peace shall transfer to the county court any cases filed in his court in which he has no jurisdiction and to amend Title 41, Chapter 17 of the Revised Civil Statutes of 1911 by adding thereto Article 2393a to provide that the county court shall retain jurisdiction of an appeal from a justice court where it appears the latter court had no jurisdiction of the case, and declaring an emergency."

Has had said bill under consideration, and I am directed to report the same back to the Senate with the recommendation that it do not pass.

DEAN, Chairman.

Committee Room,

Austin, Texas, February 6, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Civil Jurisprudence, to whom was referred

S. B. No. 189, A bill to be entitled "An Act to amend Article 312, Title

12, of the Revised Civil Statutes of the State of Texas of 1911, prescribing the method of making application for license to practice as attorney and counselor-at-law in the courts of this State and prescribing the qualifications of applicants for license to practice law, and declaring an emergency."

Has had said bill under consideration, and I am directed to report same back to the Senate with the recommendation that it do pass.

DEAN, Chairman.

Committee Room,

Austin, Texas, February 6, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Civil Jurisprudence, to whom was referred

S. B. No. 208, A bill to be entitled "An Act to amend Article 5684, of the Revised Civil Statutes of 1911, so as to limit the time in which a person, under twenty-one years of age, or in the military or naval service of the United States, in time of war, or of unsound mind, or imprisoned may institute suit for the recovery of real estate, and by adding after said Article a new Article to be known as Article 5684a, so as to provide that a person having the peaceable and adverse possession of land, tenements, or hereditaments, the title to which has passed out of the State, using and enjoying the same, under regular recorded chain of title for a period of twenty-five years, shall be conclusively presumed to have a good marketable and incontestable title thereto, that abstracts showing such facts shall be deemed a complete abstract of the title to such land, and declaring an emergency."

Has had said bill under consideration, and I am directed to report the same back to the Senate with the recommendation that it do pass.

DEAN, Chairman.

Committee Room,

Austin, Texas, February 6, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Civil Jurisprudence, to whom was referred

S. B. No. 183, A bill to be entitled "An Act to amend Article 2086, Chapter 20, Title 37, Revised Civil Statutes of the State of Texas, by prescribing that in all cases where the same is allowed, that writs of error

be sued out within ninety (90) days after the rendition of final judgment and declaring an emergency."

Has had said bill under consideration, and I am directed to report the same back to the Senate with the recommendation that it do pass, with the following Committee amendment:

Amend the bill by striking out the words "ninety (90) days" in Section 1 and insert in lieu thereof the words "six (6) months."

DEAN, Chairman.

Committee Room,

Austin, Texas, Feb. 6, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Public Health, to whom was referred Senate Bill No. 132, have had same under consideration, and I am instructed to reported the same back to the Senate, with the recommendation that it do pass, with the amendment hereto attached.

McNEALUS, Chairman.

Amendment No. One to Senate Bill No. 132.

Add to the end of Section 1, after the word abortion, the words, "Or violation of Statutes passed at the Fourth Called Session of the Thirty-fifth Legislature, requiring physicians to report to the Board of Health, all cases of venereal diseases treated by them; and for other grossly unprofessional or dishonorable conduct of a character likely to deceive or defraud the public; or for habits of intemperance or drug addiction calculated to endanger the lives of patients."

Committee Room,

Austin, Texas, February 6, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Towns and City Corporations, to whom was referred

S. B. No. 176, A bill to be entitled "An Act to validate the charter and incorporation of the city of Stamford adopted by the qualified voters of said city since the enactment of Chapter 147 page 307 of the Acts of the regular session of the Thirty-third Legislature and filed in the office of the Secretary of State; and declaring an emergency."

Have had the same under consideration, and I am instructed to report

same back to the Senate with the recommendation that it do pass.

JOHNSTON, Chairman.

Committee Room,

Austin, Texas, February 6, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Towns and City Corporations, to whom was referred

S. B. No. 179, A bill to be entitled "An Act to amend Article 1202 of the Revised Civil Statutes of Texas of 1911, as amended by the Acts of the Regular Session of the Thirty-third Legislature, Section 8, Chapter 112, approved April 2nd, 1913, and found on pages 214-220 of the Acts of the said Legislature, so as to vest in the commissioners court of counties having a population of more than one hundred thousand (100,000) and containing a city of over 70,000, the right to fix the compensation of the Chief Probation Officer at not to exceed Twenty-four hundred (\$2400.) Dollars per year and to re-enact said Section 8 of said Chapter 112 of the General Laws of the Thirty-third Legislature in all other respects and declaring an emergency."

Have had the same under consideration, and I am instructed to report same back to the Senate with the recommendation that it do pass.

JOHNSTON, Chairman.

Committee Room,

Austin, Texas, February 6, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Towns and City Corporations, to whom was referred

S. B. No. 180, A bill to be entitled "An Act to amend Section 5, Chapter 59, of the Acts of the Regular Session of the Thirty-fifth Legislature, approved March 6th, 1917, relating to the employment of children under fifteen (15) years of age to labor in certain occupations so as to provide that in counties of one hundred thousand (100,000) population or over, in which there is located a city of seventy thousand (70,000) or over, the duties heretofore devolved upon the County Judge by the original Act shall hereafter be performed by the Chief Probation Officer in such counties, and re-enacting the said sections of said statutes in all other respects, and declaring an emergency."

Have had the same under consider-

ation, and I am instructed to report same back to the Senate with the recommendation that it do pass.

JOHNSTON, Chairman.

Committee Room,

Austin, Texas, February 6, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Towns and City Corporations, to whom was referred

S. B. No. 190, A bill to be entitled, "An Act to give authority to every city incorporated under the Laws of Texas, having a population of twenty-five (25,000) thousand or more, according to the U. S. Census of 1910, to require the payment of a Permit Fee, not to exceed Two (\$2.00) Dollars, from the owners and operators of motor vehicles and motor cycles, living within the limits of such city, and also upon the owners or operators of motor vehicles or motor cycles living without the limits of such city, but who operate motor vehicles or motorcycles for the greater portion of the time they are in use within the limits of such City, as a prerequisite to the use of its streets by such vehicles; to confer upon such cities the right to pass necessary ordinances; prescribing that a violation thereof shall constitute a misdemeanor, and that the permit fee provided for shall be in addition to those prescribed by the laws of the State regarding use of motor vehicles on the public highways; to provide that the revenue derived from fees collected, or fines imposed, shall be applied to maintenance of the streets and the enforcement of the traffic laws within the limits of such city, to repeal all laws in conflict, and declaring an emergency."

Have had the same under consideration, and I am instructed to report same back to the Senate with the recommendation that it do pass.

JOHNSTON, Chairman.

Committee Room,

Austin, Texas, February 7, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Public lands and Land Office, to whom was referred

S. B. No. 199, A Bill to be entitled "An Act to provide for the sale of the oil and gas, coal and lignite that may

be in any of the surveyed or unsurveyed public free school land that is now unsold and that which may now be sold but which may hereafter revert to the public free school fund by forfeiture or other recovery; and the said substances that may be in the University and Asylum lands that are now unsold and that which may hereafter revert to the University Fund or asylums fund by forfeiture or other recovery; and the said substances that may be in any of the land belonging to said funds that has heretofore been sold with the minerals therein reserved to the fund to which the land belonged; and the said substances that may be in any of said land that has been heretofore sold with a mineral classification and that which may hereafter be sold with the minerals reserved to the fund to which the land belongs; and the said substances that may be in any of said lands that have been purchased with a relinquishment of the minerals therein; and the said substances that may be in any of the State's islands, salt water lakes, fresh water lakes, bays, inlets, marshes, reefs, river beds and river channels; providing that injunctions shall not delay development of minerals; repealing Chapter 83, Act March 16, 1917, but such repeal shall not affect existing rights, and declaring an emergency."

Have had the same under consideration, and I am instructed to report same back to the Senate with the recommendation that it do pass.

CALDWELL, Chairman.

Committee Room,

Austin, Texas, Feb. 7, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred

Senate Bill No. 162, A bill to be entitled, "An Act to make certain emergency appropriations out of the General Revenue for the Live Stock Sanitary Commission for the fiscal year ending August 31, 1919, and declaring an emergency."

Have had the same under consideration and beg leave to report it back to the Senate with the recommendation that it do pass, with the following committee amendments:

Amend Senate Bill No. 162, by inserting immediately after the enacting clause the following,

"Section 1. The salary of the

Chairman of the Live Stock Sanitary Commission shall hereafter be three thousand (\$3,000.00) dollars per year."

And further amend Senate Bill No. 162 by renumbering the sections accordingly;

And also amend the Caption by inserting after the word "Act" the following:

"To fix the salary of the Chairman of the Live Stock Sanitary Commission and,"

WESTBROOK, Chairman.

Committee Room,

Austin, Texas, Feb. 7, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred

H. B. No. 29, A bill to be entitled "An Act to repeal the item of salary for two nurses at \$600 each, contained in the appropriation for the Confederate Woman's Home for the years 1918 and 1919, making an appropriation for the salary of two nurses for said Home for the months of January, 1919, to August, 1919, both inclusive, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

WESTBROOK, Chairman.

Committee Room,

Austin, Texas, Feb. 7, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred

S. B. No. 184, A bill to be entitled "An Act to make appropriation for the Agricultural and Mechanical College of Texas, and declaring an emergency."

Have had the same under consideration and I am instructed to report the same back to the Senate with the recommendation that it do pass.

WESTBROOK, Chairman.

Committee Room,

Austin, Texas, Feb. 7, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred

S. B. No. 175, A bill to be entitled "An Act to make certain emergency

appropriations out of the general revenue for the Live Stock Sanitary Commission for the fiscal year ending August 31, 1919, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

WESTBROOK, Chairman.

Committee Room,

Austin, Texas, Feb. 7, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred

S. B. No. 191, A bill to be entitled "An Act to make appropriation to cover the cost of installing and equipment of a heating plant at the Grubbs Vocational College, Arlington, Texas, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

WESTBROOK, Chairman.

Committee Room,

Austin, Texas, Feb. 5, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Commerce and Manufactures, to whom was referred

S. B. No. 134, A bill to be entitled "An Act to define junk dealers; to require such dealers to keep a record of junk transactions; to forbid the purchase of certain articles by such dealers from minors; prescribing penalties and repealing all Acts in conflict herewith, and declaring an emergency,"

Has had said bill under consideration, and I am directed to report the same back to the Senate with the recommendation that it do pass.

COUSINS, Chairman.

Committee Room,

Austin, Texas, Feb. 5, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Commerce and Manufactures, to whom was referred

S. B. No. 194, being a bill to be entitled "An Act requiring every person, firm or corporation engaged in the business of operating a garage or repair shop within this State, for the repairing, rebuilding or repainting of automobiles, or engaged in elec-

trical work in connection with automobiles; and also every person, firm or corporation engaged in the purchase or sale or repair of used or second-hand cars, to keep a register containing a substantially correct description of every car upon which the work of repair is performed, or which is bought or sold by such second-hand dealer of used cars; providing for the inspection of such record by peace officers or other persons interested therein; making unlawful the possession of an automobile with the engine number chiseled off; providing punishment for violation of this Act, and declaring an emergency,"

Has had said bill under consideration, and I am directed to report the same back to the Senate with the recommendation that it do pass.

COUSINS, Chairman.

(Majority Report.)

Committee Room,

Austin, Texas, Feb. 6, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, a majority of your Committee on Educational Affairs, to whom was referred

H. B. No. 36, being a bill to be entitled "An Act to repeal Chapter 197 of the Acts of the General Laws of the Regular Session of the Thirty-fifth Legislature, which chapter is 'An Act to provide for the establishment, maintenance and government of a State Normal College, to be located at Alpine in Brewster County, Texas, to be known as the 'Sul Ross Normal College,' and declaring an emergency'; providing that all acts performed, contracts or agreements that may have been entered into under the provisions of said Chapter 197, by the State of Texas or by any of its officers, agents or employes, are each and all hereby annulled and all appropriations cancelled, and declaring an emergency,"

Have had the same under consideration, and I am directed to report it back to the Senate with the recommendation that it do not pass.

ALDERDICE, Chairman.

(Minority Report.)

Committee Room,

Austin, Texas, Feb. 6, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, a minority of your Committee on Educational Affairs, to

whom was referred House Bill No. 36, have had the same under consideration, and beg to report it back to the Senate with the recommendation that it do pass.

ALDERDICE,
WILLIFORD,
WESTBROOK,

Committee Room,

Austin, Texas, February 6, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred Senate Bill No. 198, have had the same under consideration and I am directed to report it back to the Senate with the recommendation that it do pass.

ALDERDICE, Chairman.

Committee Room,

Austin, Texas, February 6, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred Senate Bill No. 209, have had the same under consideration and I am directed to report it back to the Senate with the recommendation that it do pass.

ALDERDICE, Chairman.

Committee Room,

Austin, Texas, February 6, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred Senate Bill No. 202, have had the same under consideration and I am directed to report it back to the Senate with the recommendation that it do pass.

ALDERDICE, Chairman.

(Floor Report.)

Senate Chamber,

Austin, Texas, February 6, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Roads, Bridges and Ferries, have had House bill No. 282, being "An Act to amend Section 3, Chapter 60, Special Laws of the Thirty-third Legislature, as set out on pages 190 to 200 of the local and special laws enacted during the Regular Session thereof, entitled 'The Hunt County Road Law,' by re-enacting Section 4 thereof, etc., and declaring an emergency."

Under consideration, and we beg

leave to report same back to the Senate with recommendation that it do pass and be not printed.

Woods, Carlock, Caldwell, Strickland, Williford, Page, Clark.

(Floor Report.)

Senate Chamber,

Austin, Texas, February 6, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

H. B. No. 185, A Bill to be entitled "An Act creating the Waslom Independent School District in the county of Harrison, State of Texas; defining its boundaries, providing for a Board of Trustees to manage and control public free schools within said district for the assessment and collection of taxes and for the appointment and election by the said Board of Trustees of a treasurer; granting the power unto said Board of Trustees to issue coupon bonds and providing for a sinking fund therefor; granting power unto said Board of Trustees to purchase school sites and erecting, furnishing, equipping, and maintaining schools and school buildings within said district; and providing for an emergency."

Have had the same under consideration, and beg leave to report the same back to the Senate with the recommendation that it do pass and be not printed.

Alderdice, Chairman; Cousins, Floyd, Buchanan of Scurry, Gibson, Dayton, Dean, Witt, Hopkins, Westbrook.

(Floor Report.)

Senate Chamber,

Austin, Texas, February 7, 1919.

Hon. W. A. Johnson President of the Senate.

Sir: We, your Committee on Educational Affairs have had

H. B. No. 315, being "An Act to incorporate Merit Independent School District in Hunt and Collin Counties and to provide for the election of trustees and to provide for taxation, issuing bonds, providing for the exercise of all powers and privileges incident and belonging to Independent School Districts, providing for the issuance of bonds for all purposes authorized by law and for maintain-

ing a system of public free schools therein, repealing all laws and parts of laws inconsistent herewith, and declaring an emergency."

Under consideration, and we beg leave to report same back to the Senate with recommendation that it do pass and be not printed.

Alderdice, chairman; Cousins, Floyd, Westbrook, Hopkins, Buchanan of Scurry, Dean, Gibson, Dayton, Witt, Williford.

Enrolling Committee Reports.

Committee Room,
Austin, Texas, Feb. 7, 1919.

Hon. W. A. Johnson, President of the Senate.

Your Committee on Enrolled Bills have had Senate Bill No. 5 carefully compared and find the same correctly enrolled.

SMITH, Chairman.

By Buchanan of Bell. S. B. No. 5.

A BILL

To Be Entitled.

"An Act to amend Title 49, Chapter 9 of the Revised Civil Statutes of this State, and Articles 3082 and 3083 thereof, and by adding Article 3083a prescribing the eligibility of State, county, precinct and municipal officers of this State, and prohibiting the issuance of certificates of election to any one ineligible to hold office in this State and prohibiting the issuance of certificates of party nominations of ineligible candidates and prohibiting the placing of the name of any ineligible candidate upon the ballot for any general or special election; providing for writs of injunction and all other necessary process at the suit of any interested party to enforce the provisions of this Act and conferring jurisdiction upon all the district courts of the State in cases filed hereunder, and providing that such cases shall have first right of precedence upon trial and appeal, and declaring an emergency."

Be it enacted by the Legislature of the State of Texas:

Section 1. That Title 49, Chapter 9 of the Revised Civil Statutes of this State be amended by amending Articles 3082 and 3083 and by adding to said Chapter another article to be known as Article 3083a, so that here-

after said named articles of the statutes shall read as follows, to-wit:

Article 3082. No person shall be eligible to any State, county, precinct or municipal office in the State of Texas unless he shall be eligible to hold office under the Constitution of this State, and unless he shall have resided in this State for the period of twelve months and six months in the county, precinct, or municipality, in which he offers himself as a candidate, next preceding any general or special election and shall have been an actual bona fide citizen of said county, precinct, or municipality for more than six months. Providing further, that no person ineligible to hold office shall ever have his name placed upon the ballot or ticket at any general or special election, or at any primary election where candidates are selected under primary election laws of this State; and no such ineligible candidate shall ever be voted upon, nor have votes counted for him, at any such general, special, or primary election.

Section 3083. There shall not be issued by the Secretary of State, or by any county judge of the State, or by any other authority authorized to issue certificates, any certificates of election or appointment to any person elected or appointed to any office in this State, who is not eligible to hold such office under the Constitution of this State and under the above Article of the Statutes of this State; and the name of an ineligible person, under the Constitution and laws of this State, shall not be certified by any party, committee, or any authority authorized to have the names of candidates placed upon the primary ballots at any primary election in this State; and the name of any ineligible candidate under the Constitution and laws of this State shall not be placed upon the ballot of any general or special election by any authority whose duty it is to place names of candidates upon official ballots.

Article 3083a. The district court shall have authority to issue writs of injunction and all other necessary process at the suit of any interested party, or any voter, to enforce the provisions of the above two articles and to protect thereunder the rights of all parties and the public; for such purpose, jurisdiction and authority is conferred upon all district courts of this State and all cases filed hereunder

shall have first right of precedence upon trial and appeal.

Section 2. The importance of this legislation and the fact that the Legislature is crowded with business, creates an emergency and an imperative public necessity which requires that the Constitutional rule, providing that bills shall be read on three several days, be suspended and said rule is hereby suspended and that this Act take effect and be enforced from and after its passage, and it is so enacted.

Committee Room,

Austin, Texas, Feb. 7, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Enrolled Bills have had Senate Bill No. 16 carefully compared and find the same correctly enrolled.

SMITH, Chairman.

By Dorough. S. B. No. 16.

A BILL

To be entitled

An Act to amend Article 1121, Chapter 2, Title 25, Revised Civil Statutes of the State of Texas relating thereto Section 78, providing for the creation of corporations for the establishment and maintenance of drilling companies, with authority to own, and operate drilling rigs, machinery, tools and apparatus necessary in the boring, or otherwise sinking wells in the production of oil, gas or water, or either, and the purchase and sale of such goods, wares and merchandise used for such business.

Be it enacted by the Legislature of the State of Texas:

Section 1. That Article 1121, Chapter 2, Title 25, Revised Civil Statutes of the State of Texas be amended by adding thereto Section No. 78 to read as follows:

Section No. 78. A private corporation may be formed and chartered for the establishment and maintenance of drilling companies, with authority to own and operate drilling rigs, machinery, tools and apparatus necessary in the boring, or otherwise sinking of wells in the production of oil, gas or water, or either, and the purchase and sale of such goods, wares and merchandise used for such business, and declaring an emergency.

Section 2. Whereas, there is now

no provision of the Statute authorizing the incorporation of drilling companies, and by reason of the extensive development now being made in the numerous oil fields of Texas, there is a large demand for the drilling of oil wells, and for the development of the oil resources of the State, which creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days be suspended and is hereby suspended and that this Act take effect and be in force from and after its passage, and it is so enacted.

Committee Room,

Austin Texas, Feb. 7, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Enrolled Bills have had Senate Bill No. 38, carefully compared and find the same correctly enrolled.

SMITH, Chairman.

By Williford. S. B. No. 38.

A BILL

To be Entitled

An Act to amend Articles 4644 and 4645, Title 69, of the Revised Civil Statutes of Texas, relating to appeals in the granting, refusing to grant, dissolving and refusing to dissolve injunctions; and providing that transcript may be filed in the Court of Civil Appeals not later than twenty days after the entry of such order of judgment of record, and providing for giving appellee copy of brief.

Be it enacted by the Legislature of the State of Texas:

Section 1. That Article 4644, Title 69, of the Revised Civil Statutes of Texas, 1911, be so amended as to read as follows:

Article 4644. Any party or parties to any civil suit wherein a temporary injunction may be granted or refused or having been granted shall on motion be dissolved, or when motion to dissolve has been overruled, under any of the provisions of this title, in term time or in vacation, may appeal from the order or judgment granting or refusing or dissolving or refusing to dissolve such injunction, to the Court of Civil Appeals having jurisdiction of such appeal; but such appeal shall not have the effect to suspend the order appealed from, unless it shall be so ordered by the court or judge who enters the or-

der; provided, the transcript in such case shall be filed with the clerk of the Court of Civil Appeals not later than twenty days after the entry of record of such order or judgment granting, refusing, dissolving or refusing to dissolve such injunction.

Section 2. That Article 4645, Title 69, of the Revised Civil Statutes of Texas, 1911, be so amended as to read as follows:

Article 4645. It shall not be necessary to brief such case in the Court of Civil Appeals or Supreme Court, and the case may be heard in the said courts on the bill and answer, and such affidavits and evidence as may have been admitted by the judge granting, refusing, dissolving or refusing to dissolve such injunction; provided, the appellant may file a brief in the Court of Civil Appeals or Supreme Court; but such appellant shall furnish the appellee with a copy thereof not later than two days before the case is called for submission in such court, and the appellee shall have until the day the case is called for submission to answer such brief.

Section 3. Whereas there is now no law authorizing an appeal from the order or judgment of the judge or court refusing to dissolve an injunction; and whereas this often works an injustice to parties desiring to have their claim adjudicated by the appellate courts, creates an emergency and an imperative public necessity, authorizing the constitutional rule which requires that bills be read on three several days be suspended and that this bill take effect from and after its passage, and it is so enacted.

Committee Room,

Austin, Texas, February 7, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Enrolled Bills have had Senate Bill No. 40 carefully compared and find the same correctly enrolled.

SMITH, Chairman.

By Williford.

S. B. No. 40.

A BILL

To be entitled

An Act to amend Article 1845 of Revised Civil Statutes of 1911, relating to suit brought by the State of Texas or any County, or City, or Independent School District against any Officer or Depository thereof, when such Officers have held office for more than one term

and providing for suit against their different bondsmen.

Be it enacted by the Legislature of the State of Texas:

Section 1. That Article 1845 of the Revised Civil Statutes of the State of Texas shall be so amended as to hereafter read as follows: Article 1845. In any suit brought by the State of Texas, or any county of said State, or any city, or any independent school district of said State against any officer, who has held an office for more than one term, or against any depository which has been such depository for more than one term, or has given more than one official bond, the sureties on each and all such bonds may be joined as defendants in one and the same suit, whenever it is alleged in the petition that it is difficult to determine when the default sued for occurred and which set of sureties on such official bonds is liable therefor.

Sec. No. 2. Whereas there is no law authorizing the joining of different sets of sureties when a city or independent school district brings suit against an official or depository for misapplication or misappropriation or loss or misuse of funds, and whereas this causes unnecessary delay and unnecessary expense, and renders the bringing of suits uncertain, creates an emergency and an imperative public necessity authorizing the Constitutional rule which requires that bills be read on three several days be suspended and that this bill take effect from and after its passage, and it is so enacted.

Committee Room,

Austin, Texas, February 7, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Enrolled Bills have had Senate Bill No. 18 carefully compared and find the same correctly enrolled.

SMITH, Chairman,

By Dorough.

S. B. No. 18.

A BILL

To be entitled

An Act to amend Article 1121, Chapter 2, Title 25, Revised Civil Statutes of the State of Texas, relating to private corporations, by adding thereto Section 79, providing for the creation of private corporations for the construction, building and manufacture of aeroplanes, including all classes of flying ma-

chines, to buy, sell and otherwise deal therein, and to operate, or have operated, any such machine for the purpose of carrying passengers and freight, both or either including United States Mail, from and to any point in this State, and subject to the laws thereof, to and from any point in any state of the United States, or any foreign country, with the right to acquire by purchase, or otherwise, and to maintain all necessary starting and alighting grounds and fields and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That Article 1121, Chapter 2, Title 25, Revised Civil Statutes of the State of Texas be amended by adding thereto Section 79, to read as follows:

Section No. 79. A private corporation may be formed and chartered for the construction, building and manufacture of aeroplanes, including all classes of flying machines, to buy, sell and otherwise deal therein, and to operate, or have operated any such machines for the purpose of carrying of passengers and freight, both or either, including United States mail, from and to any point in this State and subject to the laws thereof, to and from any point in any state of the United States, or any foreign country, with the right to acquire by purchase, or otherwise, and to maintain all necessary starting and alighting grounds and fields.

Section 2. Whereas, there is now no provision of the statute authorizing the incorporation of private corporations for the construction, building and manufacture of aeroplanes, and there is a large demand for the construction, building and manufacture of same, and for the development of this industry in this State, which creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days be suspended and is hereby suspended and that this Act take effect and be in force from and after its passage, and it is so enacted.

NINETEENTH DAY.

Senate Chamber,
Austin, Texas.
Saturday, February 8, 1919.
The Senate met at 10 o'clock a. m.

pursuant to adjournment, and was called to order by Lieutenant Governor W. A. Johnson.

The roll was called, a quorum being present, the following Senators answering to their names:

Alderdice.	Hall.
Bailey.	Hertzberg.
Bell.	Hopkins.
Buchanan of Scurry.	Johnston.
Carlock.	McNealus.
Cousins.	Page.
Dayton.	Parr.
Dean.	Suiter.
Dorough.	Westbrook.
Dudley.	Williford.
Floyd.	Woods.
Gibson.	

Absent.

Caldwell.

Absent—Excused.

Buchanan of Bell.	Smith.
Clark.	Strickland.
Faust.	Witt.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Alderdice.

Excused.

Senator Clark was excused for yesterday and today and Senator Smith for today and Monday on account of important business on motion of Senator Bailey.

Senators Witt and Strickland were excused for today on account of important business on motion of Senator Dorough.

Senators Buchanan of Bell, and Faust were excused for today on account of important business on motion of Senator Hopkins.

Petitions and Memorials.

See appendix.

Standing Committee Reports.

See appendix.

Bills and Resolutions.

By Senator Hertzberg:

S. B. No. 234, A bill to be entitled "An Act requiring every purchaser of any motor vehicle or accessories